

Chairperson Council District 5

#### Vivian Teague

Vice Chairperson Council District 2

Robert G. Weed

Council District 1

**Elois Moore** 

Council District 3

**Jacqueline Grant** 

Council District 4

Debra T. Walker

Council District 6

**Anthony Sherman** 

Council District 7

City of Detroit

City of Detroit

Board of Zoning Appeals

Coleman A. Young Municipal Center

2 Woodward Avenue, Suite 212

Detroit, Michigan 48226

Phone: (313) 224-3595 Fax: (313) 224-4597 Email: boardofzoning@detroitmi.gov

In accordance with Section 5(4) of the Michigan Open Meetings Act, MCL 15.265(4), The Board of Zoning Appeals will hold its meetings by **ZOOM** you can either call in or join by web.

We encourage the public to use one of the following:

# The Telephone Numbers Are:

(312) 626-6799 or (929) 436-2866, Meeting ID: 571 081 730.

## If You Are Joining By Web The Link Is:

https://cityofdetroit.zoom.us/j/571081730?pwd=c1UvYUtwVIBUNmhIaitZbVdrTGk5dz09,

Meeting ID: 571 081 730 and meet ID: 376542

If you need additional information regarding this meeting, our director James Ribbron can reached at (313) 939-1405.

#### MINUTES OF THE BOARD OF ZONING APPEALS

A public hearing of the Board of Zoning Appeals was held on Tuesday **June 23**, **2020** by way of Zoom.

Chairperson of the Board Thomas called the meeting to order and Director Ribbron called the roll at 9:00 a.m.

## **BOARD MEMBERS PRESENT:**

- (1) Robert E. Thomas, Board Member
- (2) Vivian Teague, Board Member
- (3) Elois Moore, Board Member
- (4) Debra T. Walker, Board Member
- (5) Robert G. Weed, Board Member
- (6) Anthony Sherman, Board Member

#### **BOARD MEMBERS ABSENT:**

(1) Jacqueline Grant, Board Member

# **MINUTES:**

Board Member Teague made a motion to approve the minutes for June 16, 2020 with any corrections.

Affirmative: Mr. Thomas, Weed

Ms. Moore, Teague, Walker

Negative: None

## **PROCEDURAL MATTERS:**

(A) A motion was made, seconded and carried that the Director of the Board read into the record the notices, reports, letters, or any other information pro or con, on each individual case, and be filed and made a part of the record in each case.

- (B) A motion was made, seconded and carried that the appearance slips, be filled out by property owners or parties of interest who appeared at the public hearing, be filed in the individual case file and be made a part of the record in each case.
- (C) A motion was made, seconded, and carried that the recorded transcript of the proceedings of the various hearings, furnished by **BZA Staff**, be made part of the **MINUTES**.

9:15 a.m CASE NO.: 1-19

**APPLICANT**: ROBERT MCLEAN/NEUMANN SMITH ARCHITECTURE

**LOCATION:** 32 Monroe Ave between Farmer St and Cadillac Square in a B5 zone (Major

Business District)- Council District #6

LEGAL DESCRIPTION OF PROPERTY: S MONROE 50 THRU 47PLAT OF SEC

6 GOVERNOR & JUDGES PLAN L34 P545 DEEDS, W C R 1/5 3 THRU 1PLAT OF LOTS 45 & 46 SEC 6 GOVERNOR & JUDGES PLAN L1 P68 PLATS, W C R 1/17 44 & 43 W 19 FT 42PLAT OF SEC 6 GOVERNOR &

JUDGES PLAN L34 P545 DEEDS, W C R 1/5 1/---- 58,070 SQ FT

PROPOSAL:

Robert McLean/Neumann Smith Architecture on behalf of Bedrock requests dimensional variances to construct a 946.526 square foot High Rise Mixeduse Development with Residential structures, Retail and Office (By-Right-Uses) in a B5 Zone (MAJOR BUSINESS DISTRICT). This case is appealed because the Board of Zoning Appeals shall be authorized to hear dimensional variance requests for matters that are beyond the scope of Buildings and Safety Engineering Department ten percent (10%) administrative adjustments for a variance of the minimum lot area, minimum lot width, minimum setbacks and the dimensional variances or adjustments of which are provided for in this Chapter, provided: (a) That the open space needs of the potential occupants are adequately served; and (b) That said facility complies with all appropriate federal and state statutes, Wayne County Code of Ordinances, this Code and their accompanying regulations that control or regulate such use, including all applicable standards of this Zoning Ordinance; Said dimensional variances may be granted on the approval criteria of Sec. 61-4-81 of this Code; the proposed mixed use high rise tower is 535 feet high – the maximum building height permitted is 450 feet; the proposed horizontal dimension of the mixed use tower is 95 feet - the greatest horizontal dimension of the tower can't exceed 60 feet; a total of fifteen (15) off-street loading zones are required - 6 off-street loading zones are provided. (Sections 50-4-131 Permitted dimensional variances and 50-4-121 Approval Criteria.). AP

ACTION OF THE BOARD: Mr. Weed made a motion to Grant dimensional variances construct a 946,526 square foot High Rise Mixed-use Development with Residential structures, Retail and Office (By-Right-Uses) in a B5 Zone (MAJOR BUSINESS DISTRICT). Seconded by Ms. Walker

Affirmative: Mr. Thomas Weed, Sherman

Ms. Walker, Teague, Moore

Negative:

**DIMENSIONAL VARIANCES GRANTED** 

10:15 a.m. CASE NO.: 11-20 aka BSEED SLU2020-00011

-4-

**APPLICANT**: DANY HAMANA

LOCATION: 10001 W. Seven Mile Rd. between Kentucky and Ilene in a B2 Zone (Local

Business and Residential District)- City Council District #2

**LEGAL DESCRIPTION OF PROPERTY:** S SEVEN MILE RD 40 THRU 37 E 10 FT

36 EXCEPT SEVEN MILE ROAD AS WD HOPPERS COLLEGE PARK SUB

L47 P70 PLATS, W C R 16/407 107 X 86.16A

PROPOSAL:

Dany Hamana request permission to expand or modify a non-conforming Gas Station (Permit #200404 August 25, 1932) by building a new nonconforming Gas Station w/Canopy in a 544 sq. ft. building, a 592 sq. ft. addition on a 9,202 sq. ft. in a B2 Zone Local Business and Residential District. This case is appealed because a public hearing at the Board of Zoning Appeals shall be required in any instance that involves the expansion or intensification of a nonconforming use, subject to Section 50-15-27 of this Code, provided, that nonconforming adult uses shall not be considered for expansion or intensification. See Section 50-3-505 of this Code; (1) Any increase in the gross floor area of a building that houses a nonconforming use shall be deemed an expansion of the nonconforming use. Any increase in the area of a zoning lot where a nonconforming use is located shall be deemed an expansion of the nonconforming use;(2) Any change to the site plan of a nonconforming use involving a structure; loading is in the alley but there is no rear door, missing dumpster, no right of way screening, does not meet the lot area of 16,000sq. ft. setback not 10 ft. from property line. (Sections 50-15-7 - Board of Zoning Appeals, 50-15-26 - Expansion or intensification of nonconforming uses and 50-15-27. - Required findings.)AP

ACTION OF THE BOARD: Mr. Weed made a motion to adjourn this case without fee and without date for P&DD to do a proper site plan review. Seconded by Mr. Weed

Affirmative: Mr. Sherman, Thomas, Weed

Ms. Teague, Moore, Walker

Negative:

ADJOURNED WITHOUT FEE AND WITHOUT DATE

11:15 a.m. **CASE NO.:** 12-20 aka BSEED SLU2019-00079

**APPLICANT:** MATTHEW WARD

LOCATION: 22100 Grand River between Redford and Cooley in B4 Zone (General

Business District)- City Council District #1

LEGAL DESCRIPTION OF PROPERTY: N GRAND RIVER ALL THAT PART OF

S E 1/4 OF SEC 9 T 1 S R 10 E DESC AS FOLS BEG AT A PTE IN N LINE OF GRAND RIVER AVE 120 FT WD BG ALSO IN W LINE OF REDFORD AVE 66 FT WD TH N 61D W 50.15 FT ALG SD N LINE TH N 28D 56M 40S E 74 FT TH N 61D W 78.84 FT TH N 28D 56M 30S E 109.18 FT TH S 61D E 106.36 FT TH S 22D 04M 20S W 184.56 FT ALG W LINE OF REDFORD

**AVE TO P O B 22/--- 50.15 IRREG** 

**PROPOSAL:** 

Matthew Ward appeals the decision of the Buildings Safety and Engineering and Environmental Department (SLU2019-00079) which DENIED the establishment of a Minor Motor Vehicle Repair Facility in an existing 7,092 sq. ft. bldg. in a B4 Zone General Business District. This case is appealed because the Board of Zoning Appeals shall hear and decide appeals from and review any order, requirement, decision, or determination that is made by an administrative official in the administration of this Zoning Ordinance, or any decision made by the Buildings and Safety Engineering Department involving Conditional Uses, Regulated Uses, or Controlled Uses, or any denial of a site plan by the Planning and Development Department; USE denied; the applicant was illegally storing used tires outside, illegal sale of used tires is not permitted in a B4 zoning district, the subject property was in violation of several property maintenance codes, failure to obtain a certificate of compliance, absence of a masonry dumpster, parking is deficient and the 5 ft. walkway is missing; the conditional use will be injurious to the use and enjoyment of other properties and adversely aggravate any pre-existing conditions in the surrounding area. (Sections 50-15-7 - Board of Zoning Appeals, 50-15-26 - Expansion or intensification of nonconforming uses and 50-15-27. - Required findings.)AP

ACTION OF THE BOARD: Mr. Weed made a motion to Reverse the BSEED Decision to allow establishment of a Minor Motor Vehicle Repair Facility in an existing 7,092 sq. ft. bldg. in a B4 Zone General Business District. Seconded by Mr. Thomas

Affirmative: Mr. Thomas Weed, Sherman

Ms. Walker

Negative: Ms. Teague, Moore

**BSEED DENIAL REVERSED. USE GRANTED** 

**ACTION OF THE BOARD**: Board Member Walker made a motion to schedule BZA Training for July 14, 2020 9:00 a.m. to 12:00 p.m. Seconded by Ms. Teague.

Affirmative: Mr. Thomas Weed

Ms. Walker, Teague, Moore

Negative:

**BZA TRANING SCHEDULED FOR JULY 14, 2020** 

### ADVISEMENTS CONTINUED INDEFINITELY UNTIL FURTHER NOTICE.

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There being no further business to be transacted, Board Member Walker motioned that the meeting be adjourned. Board Member Moore seconded this motion which was unanimously carried and the meeting adjourned at 12:56 P.M.

RESPECTFULLY SUBMITTED

JAMES W. RIBBRON DIRECTOR

JWR/atp